STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
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Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Ms Beverley Poole
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Mr Salmon
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Application no: SMD/2017/0631

Determined on: 06/12/2017

Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure) (England) Order 2015

REFUSAL OF PLANNING PERMISSION

Location of Development:
Land Adjacent To Stoneville STANLEY ROAD STOCKTON BROOK STAFFORDSHIRE

Description of Development:
Outline Plan for construction of a 2 no. two storey residential dwellings, 1 no. single storey/bungalow dwelling and the demolition of two external outbuildings.

Staffordshire Moorlands District Council in pursuance of powers under the above mentioned Act hereby **REFUSE** to permit the development described above in accordance with plans ref:
Location PLan
17 050 AS 0 02
17 050 AS 0 03
17 050 AS 0 04
17050 AS 0 05 for the reason(s) specified below:-

1. The site is in the Green Belt and under Section 9 of the National Planning Policy Framework (NPPF), new dwellings are considered to be inappropriate development in the Green Belt. The proposal involves three new dwellings on greenfield land and which is not considered to be a limited infilling within a village and, amounts to inappropriate development in the Green Belt which is by definition in the NPPF, harmful to its openness and should not be allowed unless very special circumstances, considered to outweigh the harm, have been demonstrated. The Council considers that no very special circumstances exist. The proposal is therefore contrary to policies SS6c 'Other Rural Areas Strategy' and R2 'Rural Housing' of the Council's adopted Core Strategy Development Plan Document and is contrary to Sections 9 'Protecting the Green Belt' of the NPPF.

2. The application site is not considered to be in a sustainable location as it is in a rural area

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with no nearby shops or public services or shops or public services easily accessible via walking. The proposal is therefore contrary to Section 10 'Meeting the challenge of climate change…' of the NPPF.

2. The proposal involves considerable development of a greenfield site in a rural area and which contributes positively to the rural character and appearance of the locality. It is likely the development would be visible from a considerable distance particularly from the south and the east despite the tree screening. Despite the presence of other nearby small groups of housing, the locality maintains a rural and open character and appearance and a housing development on the site would have a more urbanising effect on the surrounding area, harmful to its overall open and rural character. The proposal would therefore not comply with Policies DC1 'Design Considerations' and DC3 'Landscape and Settlement Setting' and is also contrary to Section 7 'Requiring Good Design' of the NPPF which requires development to take the opportunity to improve the character of the area.

3. Policy NE1 'Biodiversity and Geological Resources' of the Council's Core Strategy Document requires development proposals to lead to a net increase in biodiversity. The site is identified as having potential for protected species such as bats, badgers and Great Crested Newts but no ecology survey report has been submitted with the application and therefore the impact on the level of biodiversity of the site cannot be determined. The proposal is therefore contrary to Policy NE1 and is not in line with advice given in Section 11 'Conserving and Enhancing the Natural Environment of the NPPF'.

Informative

It is considered that the proposals are unsustainable and do not conform with the provisions of the NPPF. It is considered that the applicant is unable to overcome such principle concerns and thus no amendments to the application were requested.

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

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NOTES

1. If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

2. If the decision to refuse planning permission is for a householder application, and you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

3. If this is a decision to refuse planning permission for a minor commercial application, and you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

4. If this is a decision to refuse express consent for the display of an advertisement, if you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.

5. If you want to appeal against your local planning authority's decision for any other type of development, including listed building consents then you must do so within 6 months of the date of this notice Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at https://acp.planninginspectorate.gov.uk

6. The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

7. If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

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